

Brick and Structural Clay Products Manufacturing NESHAP Summary of Requirements

Global Requirements for Brick and Structural Clay Products Manufacturing

Subpart to 40 CFR Part 63 Subpart JJJJ

Applicability/affected sources: 63.8385, 63.8390

§63.8385 Am I subject to this subpart?

You are subject to this subpart if you own or operate a BSCP manufacturing facility that is, is located at, or is part of, a major source of HAP emissions according to the criteria in paragraphs (a) and (b) of this section.

(a) A BSCP manufacturing facility is a plant site that manufactures brick (including, but not limited to, face brick, structural brick, and brick pavers); clay pipe; roof tile; extruded floor and wall tile; and/or other extruded, dimensional clay products. Brick and structural clay products manufacturing facilities typically process raw clay and shale, form the processed materials into bricks or shapes, and dry and fire the bricks or shapes. A plant site that manufactures refractory products, as defined in §63.9824, or clay ceramics, as defined in §63.8665, is not a BSCP manufacturing facility.

(b) A major source of HAP emissions is any stationary source or group of stationary sources within a contiguous area under common control that emits or has the potential to emit any single HAP at a rate of 9.07 megagrams (10 tons) or more per year or any combination of HAP at a rate of 22.68 megagrams (25 tons) or more per year.

§63.8390 What parts of my plant does this subpart cover?

(a) This subpart applies to each existing, new, or reconstructed affected source at a BSCP manufacturing facility.

(b) For the purposes of this subpart, the affected sources are described in paragraphs (b)(1) and (2) of this section.

(1) All tunnel kilns at a BSCP manufacturing facility are an affected source. For the remainder of this subpart, a tunnel kiln with a design capacity equal to or greater than 9.07 megagrams per hour (Mg/hr) (10 tons per hour (tph)) of fired product will be called a large tunnel kiln, and a tunnel kiln with a design capacity less than 9.07 Mg/hr (10 tph) of fired product will be called a small tunnel kiln.

(2) Each periodic kiln is an affected source.

(c) Process units not subject to the requirements of this subpart are listed in paragraphs (c)(1) through (4) of this section.

(1) Kilns that are used exclusively for setting glazes on previously fired products are not subject to the requirements of this subpart.

(2) Raw material processing and handling.

(3) Dryers.

(4) Sources covered by subparts KKKKK and SSSSS of this part.

(d) A source is a new affected source if construction of the affected source began after December 18, 2014, and you met the applicability criteria at the time you began construction.

(e) An affected source is reconstructed if you meet the criteria as defined in §63.2.

(f) An affected source is existing if it is not new or reconstructed.

General compliance requirements-general duty to minimize emissions: 63.8420(b)

§63.8420 What are my general requirements for complying with this subpart?

(b) At all times, you must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by the applicable standard have been achieved. Determination of whether a source is operating in compliance with operation and maintenance requirements will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. During the period between the compliance date specified for your affected source in §63.8395 and the date upon which continuous monitoring systems (CMS) (*e.g.*, continuous parameter monitoring systems) have been installed and verified and any applicable operating limits have been set, you must maintain a log detailing the operation and maintenance of the process and emissions control equipment.

Testing and initial compliance requirements-reporting: 63.8455(c)

§63.8455 How do I demonstrate initial compliance with the emission limitations and work practice standards?

(c) You must submit the Notification of Compliance Status containing the results of the initial compliance demonstration according to the requirements in §63.8480(c).

Notification requirements: 63.8395(b), 63.8480, Table 8 to Subpart JJJJ of Part 63

§63.8395 When do I have to comply with this subpart?

(b) You must meet the notification requirements in §63.8480 according to the schedule in §63.8480 and in subpart A of this part. Some of the notifications must be submitted before you are required to comply with the emission limitations in this subpart.

§63.8480 What notifications must I submit and when?

(a) You must submit all of the notifications in §§63.7(b) and (c), 63.8(f)(4), and 63.9(b) through (e), (g)(1), and (h) that apply to you, by the dates specified.

(b) You must submit all of the notifications specified in Table 8 to this subpart that apply to you, by the dates specified.

(c) If you are required to conduct a performance test or other initial compliance demonstration as specified in Tables 4 and 5 to this subpart, your Notification of Compliance Status as specified in Table 8 to this subpart must include the information in paragraphs (c)(1) through (3) of this section.

(1) The requirements in §63.9(h)(2)(i).

(2) The operating limit parameter values established for each affected source with supporting documentation and a description of the procedure used to establish the values.

(3) For each APCD that includes a fabric filter, if a bag leak detection system is used, analysis and supporting documentation demonstrating conformance with EPA guidance and specifications for bag leak detection systems in §63.8450(e).

Table 8 to Subpart JJJJJ of Part 63—Deadlines for Submitting Notifications

As stated in §63.8480, you must submit each notification that applies to you according to the following table:

If you . . .	You must . . .	No later than . . .	As specified in . . .
1. Start up your affected source before December 28, 2015	Submit an Initial Notification	June 22, 2016	§63.9(b)(2).
2. Start up your new or reconstructed affected source on or after December 28, 2015	Submit an Initial Notification	120 calendar days after you become subject to this subpart	§63.9(b)(2).
3. Are required to conduct a performance test	Submit a notification of intent to conduct a performance test	60 calendar days before the performance test is scheduled to begin	§63.7(b)(1).
4. Are required to conduct a compliance demonstration that includes a performance test according to the requirements in Table 4 to this subpart	Submit a Notification of Compliance Status, including the performance test results	60 calendar days following the completion of the performance test, by the close of business	§63.9(h) and §63.10(d)(2).
5. Are required to conduct a compliance demonstration required in Table 5 to this subpart that does not include a performance test (<i>i.e.</i> , compliance demonstrations for the work practice standards)	Submit a Notification of Compliance Status	30 calendar days following the completion of the compliance demonstrations, by the close of business	§63.9(h).
6. Request to use the routine control device maintenance alternative standard according to §63.8420(d)	Submit your request	120 calendar days before the compliance date specified in §63.8395	

Reporting requirements: 63.8485, Table 9 to Subpart JJJJJ of Part 63

§63.8485 What reports must I submit and when?

(a) You must submit each report in Table 9 to this subpart that applies to you.

(b) Unless the Administrator has approved a different schedule for submission of reports under §63.10(a), you must submit each report by the date in Table 9 to this subpart and as specified in paragraphs (b)(1) through (5) of this section.

(1) The first compliance report must cover the period beginning on the compliance date that is specified for your affected source in §63.8395 and ending on either June 30 or December 31. The first

reporting period must be at least 6 months, but less than 12 months. For example, if your compliance date is March 1, then the first semiannual reporting period would begin on March 1 and end on December 31.

(2) The first compliance report must be postmarked or delivered no later than July 31 or January 31 for compliance periods ending on June 30 and December 31, respectively.

(3) Each subsequent compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31.

(4) Each subsequent compliance report must be postmarked or delivered no later than July 31 or January 31 for compliance periods ending on June 30 and December 31, respectively.

(5) For each affected source that is subject to permitting regulations pursuant to 40 CFR part 70 or 40 CFR part 71, if the permitting authority has established dates for submitting semiannual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), you may submit the first and subsequent compliance reports according to the dates the permitting authority has established instead of the dates in paragraphs (b)(1) through (4) of this section.

(c) The compliance report must contain the information in paragraphs (c)(1) through (8) of this section.

(1) Company name and address.

(2) Statement by a responsible official with that official's name, title, and signature, certifying that, based on information and belief formed after reasonable inquiry, the statements and information in the report are true, accurate, and complete.

(3) Date of report and beginning and ending dates of the reporting period.

(4) A description of control device maintenance performed while the control device was offline and the kiln controlled by the control device was operating, including the information specified in paragraphs (c)(4)(i) through (iii) of this section.

(i) The date and time when the control device was shut down and restarted.

(ii) Identification of the kiln that was operating and the number of hours that the kiln operated while the control device was offline.

(iii) A statement of whether or not the control device maintenance was included in your approved routine control device maintenance request developed as specified in §63.8420(d). If the control device maintenance was included in your approved routine control device maintenance request, then you must report the information in paragraphs (c)(4)(iii)(A) through (C) of this section.

(A) The total amount of time that the kiln controlled by the control device operated during the current semiannual compliance period and during the previous semiannual compliance period.

(B) The amount of time that each kiln controlled by the control device operated while the control device was offline for maintenance covered under the routine control device maintenance alternative standard during the current semiannual compliance period and during the previous semiannual compliance period.

(C) Based on the information recorded under paragraphs (c)(4)(iii)(A) and (B) of this section, compute the annual percent of kiln operating uptime during which the control device was offline for routine maintenance using Equation 7.

$$RM = \frac{DT_p + DT_c}{KU_p + KU_c} (100) \quad (\text{Eq. 7})$$

Where:

RM = Annual percentage of kiln uptime during which control device was offline for routine control device maintenance

DT_p = Control device downtime claimed under the routine control device maintenance alternative standard for the previous semiannual compliance period

DT_c = Control device downtime claimed under the routine control device maintenance alternative standard for the current semiannual compliance period

KU_p = Kiln uptime for the previous semiannual compliance period

KU_c = Kiln uptime for the current semiannual compliance period

(5) A report of the most recent burner tune-up conducted to comply with the dioxin/furan work practice standard in Table 3 to this subpart.

(6) If there are no deviations from any emission limitations (emission limits or operating limits) that apply to you, the compliance report must contain a statement that there were no deviations from the emission limitations during the reporting period.

(7) If there were no periods during which the CMS was out-of-control as specified in your OM&M plan, the compliance report must contain a statement that there were no periods during which the CMS was out-of-control during the reporting period.

(8) The first compliance report must contain the startup push rate for each kiln, the minimum APCD inlet temperature for each APCD, and the temperature profile for each kiln without an APCD.

(9) For each deviation that occurs at an affected source, report such events in the compliance report by including the information in paragraphs (c)(9)(i) through (iii) of this section.

(i) The date, time, and duration of the deviation.

(ii) A list of the affected sources or equipment for which the deviation occurred.

(iii) An estimate of the quantity of each regulated pollutant emitted over any emission limit, and a description of the method used to estimate the emissions.

(d) For each deviation from an emission limitation (emission limit or operating limit) occurring at an affected source where you are using a CMS to comply with the emission limitations in this subpart, you must include the information in paragraphs (c)(1) through (4) and (c)(9), and paragraphs (d)(1) through (11) of this section. This includes periods of startup, shutdown, and routine control device maintenance.

(1) The total operating time of each affected source during the reporting period.

(2) The date and time that each CMS was inoperative, except for zero (low-level) and high-level checks.

(3) The date, time, and duration that each CMS was out-of-control, including the pertinent information in your OM&M plan.

(4) Whether each deviation occurred during routine control device maintenance covered in your approved routine control device maintenance alternative standard or during another period, and the cause of each deviation (including unknown cause, if applicable).

(5) A description of any corrective action taken to return the affected unit to its normal or usual manner of operation.

(6) A breakdown of the total duration of the deviations during the reporting period into those that were due to startup, shutdown, control equipment problems, process problems, other known causes, and other unknown causes.

(7) A summary of the total duration of CMS downtime during the reporting period and the total duration of CMS downtime as a percent of the total source operating time during that reporting period.

(8) A brief description of the process units.

(9) A brief description of the CMS.

(10) The date of the latest CMS certification or audit.

(11) A description of any changes in CMS, processes, or control equipment since the last reporting period.

(e) If you have obtained a title V operating permit according to 40 CFR part 70 or 40 CFR part 71, you must report all deviations as defined in this subpart in the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A). If you submit a compliance report according to Table 9 to this subpart along with, or as part of, the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), and the compliance report includes all required information concerning deviations from any emission limitation (including any operating limit), then submitting the compliance report will satisfy any obligation to report the same deviations in the semiannual monitoring report. However, submitting a compliance report will not otherwise affect any obligation you may have to report deviations from permit requirements to the permitting authority.

(f) Within 60 calendar days after the date of completing each performance test (as defined in §63.2) required by this subpart, you must submit the results of the performance test following the procedure specified in either paragraph (f)(1) or (f)(2) of this section.

(1) For data collected using test methods supported by the EPA's Electronic Reporting Tool (ERT) as listed on the EPA's ERT Web site (<http://www.epa.gov/ttn/chief/ert/index.html>) at the time of the test, you must submit the results of the performance test to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<http://cdx.epa.gov/>.) Performance test data must be submitted in a file format generated through the use of the EPA's ERT or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the EPA's ERT Web site. If you claim that some of the performance test information being submitted is confidential business information (CBI), you must submit a complete file generated through the use of the EPA's ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT Web site, including information claimed to be CBI, on a compact disc, flash drive, or other commonly used electronic storage media to the EPA. The electronic media must be clearly marked as CBI and mailed to U.S. EPA/OAPQS/CORE CBI Office, Attention: Group Leader, Measurement Policy Group, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same ERT or

alternate file with the CBI omitted must be submitted to the EPA via the EPA's CDX as described earlier in this paragraph.

(2) For data collected using test methods that are not supported by the EPA's ERT as listed on the EPA's ERT Web site at the time of the test, you must submit the results of the performance test to the Administrator at the appropriate address listed in §63.13.

Table 9 to Subpart JJJJJ of Part 63—Requirements for Reports

As stated in §63.8485, you must submit each report that applies to you according to the following table:

You must submit . . .	The report must contain . . .	You must submit the report . . .
1. A compliance report.	a. If there are no deviations from any emission limitations (emission limits, operating limits) that apply to you, a statement that there were no deviations from the emission limitations during the reporting period. If there were no periods during which the CMS was out-of-control as specified in your OM&M plan, a statement that there were no periods during which the CMS was out-of-control during the reporting period	Semiannually according to the requirements in §63.8485(b).
	b. If you have a deviation from any emission limitation (emission limit, operating limit) during the reporting period, the report must contain the information in §63.8485(c)(9). If there were periods during which the CMS was out-of-control, as specified in your OM&M plan, the report must contain the information in §63.8485(d)	Semiannually according to the requirements in §63.8485(b).

Recordkeeping requirements: 63.8490, 63.8495

§63.8490 What records must I keep?

(a) You must keep the records listed in paragraphs (a)(1) through (3) of this section.

(1) A copy of each notification and report that you submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status that you submitted, according to the requirements in §63.10(b)(2)(xiv).

(2) Records of performance tests as required in §63.10(b)(2)(viii).

(3) Records relating to control device maintenance and documentation of your approved routine control device maintenance request, if you request to use the alternative standard under §63.8420(d).

(b) You must keep the records required in Table 6 to this subpart to show continuous compliance with each emission limitation and work practice standard that applies to you.

(c) You must also maintain the records listed in paragraphs (c)(1) through (11) of this section.

(1) For each bag leak detection system, records of each alarm, the time of the alarm, the time corrective action was initiated and completed, and a brief description of the cause of the alarm and the corrective action taken.

(2) For each deviation, record the information in paragraphs (c)(2)(i) through (iv) of this section.

(i) The date, time, and duration of the deviation.

(ii) A list of the affected sources or equipment.

(iii) An estimate of the quantity of each regulated pollutant emitted over any emission limit and a description of the method used to estimate the emissions.

(iv) Actions taken to minimize emissions in accordance with §63.8420(b) and any corrective actions taken to return the affected unit to its normal or usual manner of operation.

(3) For each affected source, records of production rates on a fired-product basis.

(4) Records for any approved alternative monitoring or test procedures.

(5) Records of maintenance and inspections performed on the APCD.

(6) Current copies of your OM&M plan, including any revisions, with records documenting conformance.

(7) Logs of the information required in paragraphs (c)(7)(i) through (iii) of this section to document proper operation of your periodic kiln.

(i) Records of the firing time and temperature cycle for each product produced in each periodic kiln. If all periodic kilns use the same time and temperature cycles, one copy may be maintained for each kiln. Reference numbers must be assigned to use in log sheets.

(ii) For each periodic kiln, a log that details the type of product fired in each batch, the corresponding time and temperature protocol reference number, and an indication of whether the appropriate time and temperature cycle was fired.

(iii) For each periodic kiln, a log of the actual tonnage of product fired in the periodic kiln and an indication of whether the tonnage was below the maximum tonnage for that specific kiln.

(8) Logs of the maintenance procedures used to demonstrate compliance with the maintenance requirements of the periodic kiln work practice standards specified in Table 3 to this subpart.

(9) Records of burner tune-ups used to comply with the dioxin/furan work practice standard for tunnel kilns.

(10) For periods of startup and shutdown, records of the following information:

(i) The date, time, and duration of each startup and/or shutdown period, recording the periods when the affected source was subject to the standard applicable to startup and shutdown.

(ii) For periods of startup, the kiln push rate and kiln exhaust temperature prior to the time the kiln exhaust reaches the minimum APCD inlet temperature (for a kiln with an APCD) or the kiln temperature profile is attained (for a kiln with no APCD).

(iii) For periods of shutdown, the kiln push rate and kiln exhaust temperature after the time the kiln exhaust falls below the minimum APCD inlet temperature (for a kiln with an APCD) or the kiln temperature profile is no longer maintained (for a kiln with no APCD).

(11) All site-specific parameters, temperature profiles, and procedures required to be established or developed according to the applicable work practice standards in Table 3 to this subpart.

§63.8495 In what form and for how long must I keep my records?

(a) Your records must be in a form suitable and readily available for expeditious review, according to §63.10(b)(1).

(b) As specified in §63.10(b)(1), you must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

(c) You must keep each record onsite for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1). You may keep the records offsite for the remaining 3 years.

Applicability of General Provisions: 63.8420(f), 63.8505, Table 10 to Subpart JJJJ of Part 63

§63.8420 What are my general requirements for complying with this subpart?

(f) You must be in compliance with the provisions of subpart A of this part, except as noted in Table 10 to this subpart.

§63.8505 What parts of the General Provisions apply to me?

Table 10 to this subpart shows which parts of the General Provisions in §§63.1 through 63.16 apply to you.

Table 10 to Subpart JJJJJ of Part 63—Applicability of General Provisions to Subpart JJJJJ

As stated in §63.8505, you must comply with the General Provisions in §§63.1 through 63.16 that apply to you according to the following table:

Citation	Subject	Brief description	Applies to subpart JJJJJ?
§63.1	Applicability	Initial applicability determination; applicability after standard established; permit requirements; extensions, notifications	Yes.
§63.2	Definitions	Definitions for part 63 standards	Yes.
§63.3	Units and Abbreviations	Units and abbreviations for part 63 standards	Yes.
§63.4	Prohibited Activities	Compliance date; circumvention; severability	Yes.

Citation	Subject	Brief description	Applies to subpart JJJJ?
§63.5	Construction/Reconstruction	Applicability; applications; approvals	Yes.
§63.6(a)	Applicability	General Provisions (GP) apply unless compliance extension; GP apply to area sources that become major	Yes.
§63.6(b)(1)-(4)	Compliance Dates for New and Reconstructed sources	Standards apply at effective date; 3 years after effective date; upon startup; 10 years after construction or reconstruction commences for section 112(f)	Yes.
§63.6(b)(5)	Notification	Must notify if commenced construction or reconstruction after proposal	Yes.
§63.6(b)(6)	[Reserved]		No.
§63.6(b)(7)	Compliance Dates for New and Reconstructed Area Sources That Become Major	Area sources that become major must comply with major source standards immediately upon becoming major, regardless of whether required to comply when they were area sources	Yes.
§63.6(c)(1)-(2)	Compliance Dates for Existing Sources	Comply according to date in subpart, which must be no later than 3 years after effective date; for section 112(f) standards, comply within 90 calendar days of effective date unless compliance extension	Yes.
§63.6(c)(3)-(4)	[Reserved]		No.
§63.6(c)(5)	Compliance Dates for Existing Area Sources That Become Major	Area sources that become major must comply with major source standards by date indicated in subpart or by equivalent time period (for example, 3 years)	Yes.
§63.6(d)	[Reserved]		No.
§63.6(e)(1)(i)	Operation & Maintenance	General Duty to minimize emissions	No. See §63.8420(b) for general duty requirement.
§63.6(e)(1)(ii)	Operation & Maintenance	Requirement to correct malfunctions ASAP	No.

Citation	Subject	Brief description	Applies to subpart JJJJJ?
§63.6(e)(1)(iii)	Operation & Maintenance	Operation and maintenance requirements enforceable independent of emissions limitations	Yes.
§63.6(e)(2)	[Reserved]		No.
§63.6(e)(3)	Startup, Shutdown, and Malfunction Plan (SSMP)	Requirement for startup, shutdown, and malfunction (SSM) and SSMP; content of SSMP	No.
§63.6(f)(1)	Compliance Except During SSM	You must comply with emission standards at all times except during SSM	No.
§63.6(f)(2)-(3)	Methods for Determining Compliance	Compliance based on performance test, operation and maintenance plans, records, inspection	Yes.
§63.6(g)	Alternative Standard	Procedures for getting an alternative standard	Yes.
§63.6(h)	Opacity/VE Standards	Requirements for opacity and VE standards	No, not applicable.
§63.6(i)	Compliance Extension	Procedures and criteria for Administrator to grant compliance extension	Yes.
§63.6(j)	Presidential Compliance Exemption	President may exempt source category	Yes.
§63.7(a)(1)-(2)	Performance Test Dates	Dates for conducting initial performance testing and other compliance demonstrations for emission limits and work practice standards; must conduct 180 calendar days after first subject to rule	Yes.
§63.7(a)(3)	Section 114 Authority	Administrator may require a performance test under CAA section 114 at any time	Yes.
§63.7(a)(4)	Notification of Delay in Performance Testing Due To Force Majeure	Must notify Administrator of delay in performance testing due to force majeure	Yes.
§63.7(b)(1)	Notification of Performance Test	Must notify Administrator 60 calendar days before the test	Yes.
§63.7(b)(2)	Notification of Rescheduling	Must notify Administrator 5 calendar days before	Yes.

Citation	Subject	Brief description	Applies to subpart JJJJ?
		scheduled date of rescheduled date	
§63.7(c)	Quality Assurance(QA)/Test Plan	Requirements; test plan approval procedures; performance audit requirements; internal and external QA procedures for testing	Yes.
§63.7(d)	Testing Facilities	Requirements for testing facilities	Yes.
§63.7(e)(1)	Conditions for Conducting Performance Tests	Cannot conduct performance tests during SSM; not a violation to exceed standard during SSM	No, §63.8445 specifies requirements.
§63.7(e)(2)-(3)	Conditions for Conducting Performance Tests	Must conduct according to subpart and EPA test methods unless Administrator approves alternative; must have at least three test runs of at least 1 hour each; compliance is based on arithmetic mean of three runs; conditions when data from an additional test run can be used	Yes.
§63.7(e)(4)	Testing under Section 114	Administrator's authority to require testing under section 114 of the Act	Yes.
§63.7(f)	Alternative Test Method	Procedures by which Administrator can grant approval to use an alternative test method	Yes.
§63.7(g)	Performance Test Data Analysis	Must include raw data in performance test report; must submit performance test data 60 calendar days after end of test with the notification of compliance status	Yes.
§63.7(h)	Waiver of Tests	Procedures for Administrator to waive performance test	Yes.
§63.8(a)(1)	Applicability of Monitoring Requirements	Subject to all monitoring requirements in subpart	Yes.

Citation	Subject	Brief description	Applies to subpart JJJJJ?
§63.8(a)(2)	Performance Specifications	Performance Specifications in appendix B of 40 CFR part 60 apply	Yes.
§63.8(a)(3)	[Reserved]		No.
§63.8(a)(4)	Monitoring with Flares	Requirements for flares in §63.11 apply	No, not applicable.
§63.8(b)(1)	Monitoring	Must conduct monitoring according to standard unless Administrator approves alternative	Yes.
§63.8(b)(2)-(3)	Multiple Effluents and Multiple Monitoring Systems	Specific requirements for installing and reporting on monitoring systems	Yes.
§63.8(c)(1)	Monitoring System Operation and Maintenance	Maintenance consistent with good air pollution control practices	Yes.
§63.8(c)(1)(i)	Routine and Predictable SSM	Reporting requirements for SSM when action is described in SSMP	No.
§63.8(c)(1)(ii)	SSM not in SSMP	Reporting requirements for SSM when action is not described in SSMP	Yes.
§63.8(c)(1)(iii)	Compliance with Operation and Maintenance Requirements	How Administrator determines if source complying with operation and maintenance requirements	No.
§63.8(c)(2)-(3)	Monitoring System Installation	Must install to get representative emission and parameter measurements	Yes.
§63.8(c)(4)	CMS Requirements	Requirements for CMS	No, §63.8450 specifies requirements.
§63.8(c)(5)	Continuous Opacity Monitoring System (COMS) Minimum Procedures	COMS minimum procedures	No, not applicable.
§63.8(c)(6)	CMS Requirements	Zero and high level calibration check requirements	Yes.
§63.8(c)(7)-(8)	CMS Requirements	Out-of-control periods	Yes.
§63.8(d)(1) and (2)	CMS Quality Control	Requirements for CMS quality control	Yes.
§63.8(d)(3)	CMS Quality Control	Written procedures for CMS	No, §63.8425(b)(9) specifies requirements

Citation	Subject	Brief description	Applies to subpart JJJJ?
§63.8(e)	CMS Performance Evaluation	Requirements for CMS performance evaluation	Yes.
§63.8(f)(1)-(5)	Alternative Monitoring Method	Procedures for Administrator to approve alternative monitoring	Yes.
§63.8(f)(6)	Alternative to Relative Accuracy Test	Procedures for Administrator to approve alternative relative accuracy test for continuous emissions monitoring systems (CEMS)	No, not applicable.
§63.8(g)	Data Reduction	COMS and CEMS data reduction requirements	No, not applicable.
§63.9(a)	Notification Requirements	Applicability; State delegation	Yes.
§63.9(b)	Initial Notifications	Requirements for initial notifications	
§63.9(c)	Request for Compliance Extension	Can request if cannot comply by date or if installed BACT/LAER	Yes.
§63.9(d)	Notification of Special Compliance Requirements for New Source	For sources that commence construction between proposal and promulgation and want to comply 3 years after effective date	Yes.
§63.9(e)	Notification of Performance Test	Notify Administrator 60 calendar days prior	Yes.
§63.9(f)	Notification of VE/Opacity Test	Notify Administrator 30 calendar days prior	No, not applicable.
§63.9(g)(1)	Additional Notifications When Using CMS	Notification of performance evaluation	Yes.
§63.9(g)(2)-(3)	Additional Notifications When Using CMS	Notification of COMS data use; notification that relative accuracy alternative criterion were exceeded	No, not applicable.
§63.9(h)	Notification of Compliance Status	Contents; submittal requirements	Yes.
§63.9(i)	Adjustment of Submittal Deadlines	Procedures for Administrator to approve change in when notifications must be submitted	Yes.

Citation	Subject	Brief description	Applies to subpart JJJJ?
§63.9(j)	Change in Previous Information	Must submit within 15 calendar days after the change	Yes.
§63.10(a)	Recordkeeping/Reporting	Applicability; general information	Yes.
§63.10(b)(1)	General Recordkeeping Requirements	General requirements	Yes.
§63.10(b)(2)(i)	Records Related to SSM	Recordkeeping of occurrence and duration of startups and shutdowns	No.
§63.10(b)(2)(ii)	Records Related to SSM	Recordkeeping of failures to meet a standard	No. See §63.8490(c)(2) for recordkeeping of (1) date, time and duration; (2) listing of affected source or equipment, and an estimate of the volume of each regulated pollutant emitted over the standard; and (3) actions to minimize emissions and correct the failure.
§63.10(b)(2)(iii)	Records Related to SSM	Maintenance records	
§63.10(b)(2)(iv)-(v)	Records Related to SSM	Actions taken to minimize emissions during SSM	No.
§63.10(b)(2)(vi)-(xii) and (xiv)	CMS Records	Records when CMS is malfunctioning, inoperative or out-of-control	Yes.
§63.10(b)(2)(xiii)	Records	Records when using alternative to relative accuracy test	
§63.10(b)(3)	Records	Applicability Determinations	Yes.
§63.10(c)(1)-(15)	Records	Additional records for CMS	No, §§63.8425 and 63.8490 specify requirements
§63.10(d)(1) and (2)	General Reporting Requirements	Requirements for reporting; performance test results reporting	Yes.
§63.10(d)(3)	Reporting Opacity or VE Observations	Requirements for reporting opacity and VE	No, not applicable.
§63.10(d)(4)	Progress Reports	Must submit progress reports on schedule if under compliance extension	Yes.

Citation	Subject	Brief description	Applies to subpart JJJJJ?
§63.10(d)(5)	SSM Reports	Contents and submission.	No. See §63.8485(c)(9) for malfunction reporting requirements.
§63.10(e)(1)-(3)	Additional CMS Reports	Requirements for CMS reporting	No, §§63.8425 and 63.8485 specify requirements.
§63.10(e)(4)	Reporting COMS data	Requirements for reporting COMS data with performance test data	No, not applicable.
§63.10(f)	Waiver for Recordkeeping/Reporting	Procedures for Administrator to waive	Yes.
§63.11	Flares	Requirement for flares	No, not applicable.
§63.12	Delegation	State authority to enforce standards	
§63.13	Addresses	Addresses for reports, notifications, requests	Yes.
§63.14	Incorporation by Reference	Materials incorporated by reference	Yes.
§63.15	Availability of Information	Information availability; confidential information	Yes.
§63.16	Performance Track Provisions	Requirements for Performance Track member facilities	Yes.

Responsibility for implementation and enforcement: 63.8510

§63.8510 Who implements and enforces this subpart?

(a) This subpart can be implemented and enforced by us, the U.S. EPA, or a delegated authority such as your state, local, or tribal agency. If the U.S. EPA Administrator has delegated authority to your state, local, or tribal agency, then that agency, in addition to the U.S. EPA, has the authority to implement and enforce this subpart. You should contact your U.S. EPA Regional Office to find out if implementation and enforcement of this subpart is delegated to your state, local, or tribal agency.

(b) In delegating implementation and enforcement authority of this subpart to a state, local, or tribal agency under subpart E of this part, the authorities contained in paragraph (c) of this section are retained by the Administrator of the U.S. EPA and are not transferred to the state, local, or tribal agency.

(c) The authorities that cannot be delegated to state, local, or tribal agencies are as specified in paragraphs (c)(1) through (6) of this section.

(1) Approval of alternatives to the applicability requirements in §§63.8385 and 63.8390, the compliance date requirements in §63.8395, and the non-opacity emission limitations in §63.8405.

- (2) Approval of major changes to test methods under §63.7(e)(2)(ii) and (f) and as defined in §63.90.
- (3) Approval of major changes to monitoring under §63.8(f) and as defined in §63.90.
- (4) Approval of major changes to recordkeeping and reporting under §63.10(f) and as defined in §63.90.
- (5) Approval of an alternative to any electronic reporting to the EPA required by this subpart.
- (6) Approval of a routine control device maintenance request under §63.8420(d).